

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

CHOICE PHILLIPS,	)	
	)	
Plaintiff,	)	Civil Action No. 3:04-1870-10
	)	
vs.	)	
	)	
ENERSYS, INC. and JACKSON	)	<b>CONSENT ORDER OF DISMISSAL</b>
LEWIS, LLP,	)	<b>WITH PREJUDICE</b>
	)	
Defendants.	)	

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IT APPEARING TO THE COURT that the above-captioned action has been resolved by and among Plaintiff, Choice Phillips, and Defendants, EnerSys, Inc. a/k/a EnerSys Delaware, Inc., and Jackson Lewis LLP f/k/a Jackson, Lewis, Schnitzler & Krupman (collectively, the “parties”); and

AND IT FURTHER APPEARING THAT the parties have agreed to dismiss this action, including, without limitation, any and all cross-claims asserted therein, with prejudice;

NOW, THEREFORE, with the consent of the parties, by and through their undersigned counsel, is it hereby ORDERED that the above-captioned action shall be, and is hereby, forever DISMISSED with PREJUDICE as to all parties and claims, with each party to bear its own costs and attorneys fees.

AND IT IS SO ORDERED this 14<sup>th</sup> day of June, 2006.

S/Matthew J. Perry  
Senior U.S. District Court Judge

Columbia, South Carolina

**WE CONSENT:**

s/ Armand Derfner

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Armand Derfner (FED. ID. #502)  
D. Peters Wilborn, Jr. (FED. ID. #7609)  
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*ATTORNEYS FOR PLAINTIFF*  
*CHOICE PHILLIPS*

**WE CONSENT:**

s/ A. Camden Lewis

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A. Camden Lewis (FED. I.D. #2669)

Keith Babcock (FED I.D. #1143)

LEWIS & BABCOCK

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**WE CONSENT:**

s/ Susan Taylor Wall  
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